

UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF NORTH CAROLINA  
DURHAM DIVISION

IN RE:	)	Case No.	18-80386
	)		
LENT CHRISTOPHER CARR, II	)		
DELTARINA V. CARR	)	Chapter 13	
Debtor(s)	)		

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**FIRST MOTION TO CONTINUE HEARING ON OBJECTION TO CLAIM**

NOW COME the Debtors, by and through their undersigned attorney, and move the Court for an Order continuing the the Hearing on Objection to Claim from October 4, 2018 to the next available date. In support thereof, the Debtors show as follows:

1. The Debtors filed the above captioned Chapter 13 Bankruptcy case on March 20, 2018.
2. On May 13, 2018, Ms. Jannetta Jordan filed claim #5 in the unsecured amount of \$255,000.00, and on August 19, 2018, the Debtors filed an objection to that claim.
3. By notice dated August 20, 2018, a hearing on the objection to claim was scheduled for October 4, 2018.
4. Yesterday, the Trustee and Debtors' Counsel were contacted by Ms. Jordan requesting a continuance of the hearing as she is attending a funeral on the same day of the hearing.
5. Mr. Carr is in poor health and is concerned about the possibility of medical events impairing his ability to testify in the future; however, the Debtors will consent to one short continuance.
6. Should the Court be willing to hear this matter in Winston-Salem on the October 10, 2018, both parties would be agreeable to attendance in that Division and date, and the Debtors understand the Trustee to have no objection. Such timing would minimize the risk that the continuance prejudice Mr. Carr's ability to testify.
7. In the alternative, the parties would request continuance to the October 18, 2018 hearing in Durham. The Debtors understand the Trustee to also have no objection to such continuance.
8. The is also pending the Trustee's Objection to Confirmation of the plan. The Debtors will arrange a consensual continuance date with the Trustee consistent with the Trustee's position.

WHEREFORE, the Debtors respectfully move the Court as follows:

1. For an order continuing the Hearing on Objection to Claim, to either October 10, 2018 in Winston-Salem or October 18, 2018 in Durham, at a time as set by the court; and
2. For such other relief as the Court deems just and proper.

THIS the 3rd day of October, 2018

/s/ Erich M. Fabricius

Erich M. Fabricius

Attorney for the Debtors

NC State Bar # 39667

Fabricius & Fabricius PLLC

106 N 1st Ave, Ste D.

P.O. Box 1230

Knightdale, NC 27545-1230

Telephone: (919) 295-6001

Fax: (919) 890-3833

Email: emf@fabriciuslaw.com

**CERTIFICATE OF SERVICE**

I do hereby certify that I have this day served a copy of the Motion to Continue Hearing on Objection to Claim by depositing a copy of the same in the U.S. Mail, postage prepaid, properly addressed as shown, unless another method is indicated:

Richard M. Hutson  
Chapter 13 Trustee  
(electronic notice via CM/ECF)

Jannetta Jordan  
4160 Laurinburg Rd.  
Raeford, NC 28376  
(via first class mail)

THIS the 3rd day of October, 2018

/s/ Erich M. Fabricius  
Erich M. Fabricius  
Attorney for the Debtors